

Baskin



The Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Salwen Paper Co., Inc.

File: B-231354.2

Date: June 9, 1988

DIGEST

Request for reconsideration of prior decision is denied where the protester disagrees with decision but presents no new arguments or information that would establish that the decision contained an error of fact or law which would warrant reversal.

DECISION

Salwen Paper Co., Inc., requests reconsideration of our decision Salwen Paper Co., Inc., B-231354, May 24, 1988, 88-1 CPD ¶ _____, dismissing Salwen's protest that the General Services Administration (GSA) improperly canceled invitation for bids No. 2FYP-DC-88-0002-S. We deny the request for reconsideration.

In its original protest, Salwen argued that GSA did not have a compelling reason to cancel the solicitation and that GSA violated Federal Acquisition Regulation (FAR) § 14.407-1(b), which provides that if less than three bids are received, the contracting officer must ascertain the reasons for the small number of bids and make award notwithstanding the limited number of bids.

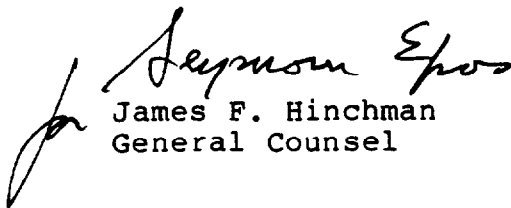
We found the cancellation proper because GSA had failed to solicit several potential bidders, and as a result only one bid was received on each line item of the solicitation. Thus the full and open competition required under the Competition in Contracting Act had not been received. We also found Salwen's interpretation of FAR § 14.407-1(b) unreasonable, since such an interpretation would not permit an agency ever to cancel a solicitation if less than three bids were received.

In its request for reconsideration, Salwen repeats its previous argument that under FAR § 14.407-1(b) award must be made despite receipt of less than three bids, and incorporates the facts and legal arguments stated in its initial

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protest. Its reconsideration request disagrees with our decision, but presents no new argument or information establishing that our conclusion was legally or factually erroneous. The established standard for reconsideration is that the requesting party must show that our prior decision contains either errors of fact or of law or information not previously considered that warrants reversal or modification. Repetition of arguments made during resolution of the original protest or mere disagreement with our decision does not meet this standard. I.T.S. Corp.--Request for Reconsideration, B-228919.2, Feb. 2, 1988, 88-1 CPD ¶ 101.

The request for reconsideration is denied.


James F. Hinchman
General Counsel